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April 5, 2023

VIA ECF

Honorable Taryn A. Merkl
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Trooper 1 v. Cuomo, et al.; Case No. 22-cv-00893 (LDH)(TAM)

Dear Judge Merkl:

We represent Plaintiff Trooper 1 in this matter. We respectfully request permission to file the attached Second Amended Complaint to add discrimination claims under 42 U.S.C. § 2000e (“Title VII”) against Defendant New York State Police.

All parties have consented to the amendment pursuant to Fed. R. Civ. P. 15(a). Moreover, there is good cause for the amendment pursuant to Fed. R. Civ. P. 16(a) because Plaintiff only recently received Notices of Right to Sue from the Equal Employment Opportunity Commission (“EEOC”) and the Department of Justice Civil Rights Division (“DOJ”). See McPherson v. New York City Dept. of Educ., 457 F.3d 211, 214 (2d Cir. 2006) (“right-to-sue” letter “is a prerequisite to suit” under Title VII).¹ Accordingly, Plaintiff has acted with “diligence” in pursuing her Title VII claim. Parker v. Columbia Pictures Indus., 204 F.3d 326, 340 (2d Cir. 2000).

Attached as Exhibit B as a courtesy is a redline version showing the changes from the complaint originally filed in this matter.

Respectfully submitted,



Valdi Licul

Encl.

¹ Plaintiff first requested a Notice of Right to Sue on May 25, 2022 – immediately after her 180-day exhaustion period lapsed. 42 U.S.C. § 2000e-5(f)(1). She renewed her request on November 22, 2022, December 13, 2022, and January 23, 2023. The EEOC and DOJ finally issued the notices on March 6, 2023, and March 15, 2023, respectively.